

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

ZACHARY JOSEPH LOVE,

Defendant.

**4:15CR3059**

**ORDER**

Defendant has moved to continue the trial currently set for January 4, 2016. (Filing No. 63). As explained, the defendant's motion for psychological examination is still pending and the parties need additional time to discuss the case. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (filing no. 63), is granted.
- 2) A hearing on defendant's motion for psychological examination (filing no. 50) is set to commence before the undersigned magistrate in Courtroom 2, United States Courthouse, Lincoln, Nebraska, at 2:00 p.m. on January 25, 2016.
- 3) The trial of this case is continued pending further order of the court.
- 4) Based upon the showing set forth in the defendant's motion and the representations of counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the additional time arising as a result of the granting of the motion, the time between today's date and January 25, 2016, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare

this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7).

December 21, 2015.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge